

Fansteel Metals, Muskogee, Oklahoma
EPA I.D. #: OKD007221831

1. Situation. On the day of the inspection the owner/operator had not yet made arrangements with local authorities to familiarize them with characteristics of the facility. It was also noted that phone numbers of and agreements with State emergency response teams, contractors and equipment suppliers were not available or in effect. Further, there were no arrangements to familiarize local hospitals with the properties of hazardous waste handled and types of injuries that could result from fires, explosions, or releases at the facility. 40 CFR 265.37.

Discussion. Arrangements with local authorities (police, fire department, hospitals) will be needed if there is an emergency. Violations are significant since these regulations deal directly with emergency situations. The facility notified as handling 31,500,000 pounds per year of hydrofluoric acid and 1,000 pounds per year of methyl isobutyl ketone. Hydrofluoric acid is acutely hazardous as it may cause death or permanent injury after very short exposure to small quantities.

Conduct. The requirements of the regulation are virtually ignored to such an extent none are complied with. The violation is considered major (low).

Damage. The violation involves a highly hazardous waste and the violation can lead to a high degree of harm to human health or the environment but there is no evidence that such harm is likely to occur. The violation is considered moderate (high).

Penalty. Class II violation - \$6,000.

2. Situation. The facility was not maintaining a contingency plan (it had not yet initiated one). 40 CFR 265.51(a).

Discussion. Each owner/operator of a waste facility is required to have a contingency plan designed to minimize danger to human health or the environment in the event of any sudden or unplanned mishap.

Conduct. The conduct of the violator deviates from the requirements of the regulation to such an extent that the regulation is completely ignored and none of its requirements complied with. The conduct violation is considered major (low).

Damage. The violation involves a highly hazardous waste and the violation can lead to a high degree of harm to human health or the environment, but there is no evidence that such harm is likely to occur. The violation is considered moderate (high).

Penalty. Class II violation - \$6,000.

3. Situation. The owner/operator claims to have written documented information on similar treatment of similar wastes under similar operating conditions with respect to treatment in the surface impoundment. This information was



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not entered in the operating record. 40 CFR 265.73.

Discussion. This is the only item required in the operating record not so entered. This item is not a priority item, that is, of the several requirements, this is a minor one.

Conduct. The conduct of the violator deviates somewhat from the regulatory requirements but the most important requirements are met. The conduct violation is considered minor (low).

Damage. The likelihood of any harm to human health or the environment is very unlikely due to their failure to enter this information in the operating record. The damage violation is considered minor (low).

Penalty. Class II violation. \$100.